

STATE OF MICHIGAN  
IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MICHIGAN

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TIMOTHY J. RYAN and  
CHRISTINE A. RYAN,

Plaintiffs,

v

ADELE MCGINN-LOOMIS and MARY  
BENEDICT,

Defendants.

RURAL, JR., SR., CLERK  
U.S. DISTRICT COURT  
WESTERN DISTRICT MICH

CASE NO. 1:03CV0439 *[Signature]*

HON. David W. McKeague

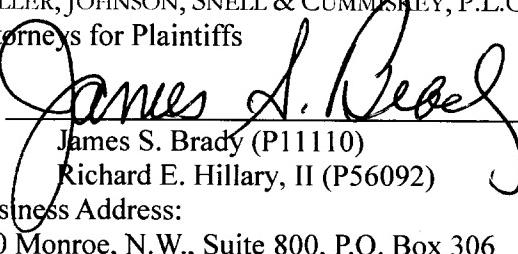
**PLAINTIFFS' AMENDMENT TO THEIR MOTION TO COMPEL THE DEPOSITIONS  
OF JUDGE PATRICIA GARDNER, BARBARA INGRAM AND BEVERLY  
FOUNTAIN TO INCLUDE JUDGE PATRICK HILLARY**

On January 23, 2004, the attorney for Judge Gardner and her staff sent the letter attached as Exhibit 1 to plaintiffs' counsel stating that he also represents Judge Patrick Hillary, who apparently also spoke to both defendants during the evening hours of September 19, 2001. In this letter, Judge Hillary's attorney states that Judge Hillary is taking the same position as Judge Gardner and her staff with respect to a deposition subpoena issued to him. Accordingly, plaintiffs amend their pending motion to compel to include a request that this Court also enter an Order compelling Judge Hillary to submit to deposition. The relief sought in this amendment is supported by plaintiffs' brief in support of their motion to compel the depositions of Judge Gardner and her staff, except that it is undisputed that Judge Hillary has never presided over any proceeding involving plaintiffs.

MILLER, JOHNSON, SNELL & CUMMISKEY, P.L.C.  
Attorneys for Plaintiffs

Dated: January 27, 2004

By

  
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